

# Notice of Allowability

Application No.

10/759,890

Applicant(s)

LARSON, ERIC

Examiner

Dameon E. Levi

Art Unit

2841

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 08/28/2006(Amendment/Response).
2. ☒ The allowed claim(s) is/are 1-24.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments, filed 08/28/2006, with respect to claims 1-24 have been fully considered and are persuasive. The prior art does not fairly teach every limitation in the manner as disclosed by the Applicants. The rejection of claims 1-24 has been withdrawn.

### ***Allowable Subject Matter***

Claims 1-24 are allowable.

The following is an examiner's statement of reasons for allowance: In response to remarks made in Applicant's Amendment submitted 08/28/2006, and, upon conclusion of a comprehensive search of the pertinent prior art, including the prior art of record, the Office indicates that the claims are allowable.

Regarding claim 1, patentability exists, at least in part, with the claimed recitation of wherein the actuator moves along the ramp as the release mechanism is moved from the first position to the second position, and wherein the actuator deflects the cage latch when the release mechanism is in the second position.

Regarding claim 9, patentability exists, at least in part, with the claimed recitation of a release handle mounted on the transceiver module and coupled to the actuator such that rotating the release handle in a first direction causes the actuator to move along the ramp surface toward the cage latch thereby moving the cage latch away from the interface surface and such that

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rotating the release handle in a second direction causes the actuator to move along the ramp surface toward the interface surface and away from the cage latch.

Regarding claim 17, patentability exists, at least in part, with the claimed recitation of the transceiver module having a module projection, a ramp, a release mechanism and an actuator, wherein the transceiver module is retained within the cage by the engagement of the module projection with the latch slot and wherein the transceiver module is removable from the cage by moving the release mechanism such that it forces the actuator along the ramp such that the actuator engages the cage latch and frees the module projection from the latch slot.

Regarding claim 24, patentability exists, at least in part, with the claimed recitation of, when the handle is in a first position, the position of the actuator corresponds with an engagement of the corresponding structure of the cage by the latch portion; and when the handle is in a second position, the position of the actuator corresponds with a deflection of the corresponding structure of the cage that the latch portion is disengaged from the corresponding structure of the cage.

Chiu et al US Patent 6840680, Hattori US Patent 6855558, Ishigami et al US Patent 6830385, and Merrick US Patent 6746158 are all cited as disclosing some elements of the claimed invention including a release mechanism mounted to a transceiver module and a movable actuator coupled to the release mechanism.

The prior art, taken alone, or, in part does not fairly teach or suggest all the limitations in the manner as claimed by the Applicant.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dameon E. Levi whose telephone number is (571) 272-2105. The examiner can normally be reached on Mon.-Fri. (9:00 - 5:00) IFP.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Elvin Enad can be reached on (571) 272-1990. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Art Unit 2841

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